

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

ECF Case

- against -

NOTICE OF MOTION

DAVID BERGSTEIN,

No. 16 Civ. 8701 (AJN)

Defendant,

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PLEASE TAKE NOTICE that upon the Complaint in the above-captioned action; the Indictment in criminal case *United States v. David Bergstein*, 16 Cr. 746 (PKC) (the “Criminal Case”); and the accompanying memorandum of law, the United States of America, by its attorney Preet Bharara, United States Attorney for the Southern District of New York, and Edward A. Imperatore and Robert W. Allen, Assistant United States Attorneys, will move this Court for an order (i) to intervene in the above-captioned case, pursuant to Rule 24 of the Federal Rules of Civil Procedure, and (ii) to stay this matter in its entirety until the conclusion of the Criminal Case, as well as for such other relief as the Court deems just and proper.

Dated: New York, New York
December 1, 2016

PREET BHARARA
United States Attorney

By: /s/
Edward A. Imperatore
Robert W. Allen
Assistant U.S. Attorneys
212-637-2327/2216